

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVICES - Commercial Taxes Department - Allegations of certain irregularities against Sri B.Venkata Subbaiah, while working as CTO-I, Kadapa, Andhra Pradesh and retired in Nalgonda District, Telangana State - Disciplinary action initiated under rule 20 of APCS (CC&A) Rules, 1991 - Enquiry conducted - Charge proved - Punishment of 10% cut in pension for two (2) years under rule 9 of A.P. Revised Pension Rules, 1980 - Imposed - Orders - Issued.

REVENUE (VIGILANCE - II) DEPARTMENT

G.O.Rt.No.258

Dated:10-04-2015

Read the following :

- 1.From the CCT,A.P., Hyderabad,No.V1/311/2011 dt.12-06-2011.
- 2.Written Statement of defence dt.3-8-11, of Sri B.Venkata Subbaiah, CTO (Retd).
- 3.Prog.No.V1/311/2011, of CCT, AP Hyderabad, dated 10-05-2012.
- 4.From DC (CT), Begumpet, Rc.No.E1/51/2012, dt.18-02-2013 (Inquiry Report).
- 5.From the CCT, A.P., Hyd., No.V1/311/ 2011, dated 23-02-2013.
- 6.Representation dated 04-03-2013 from Sri B.Venkata Subbaiah, CTO (Retd.).
- 7.From the CCT., A.P., Hyderabad No.V1/311/2011, dt.21-03-2013.
- 8.Government Memo.No.33803/Vig.I(1)/2011-4, dated 25.03.2014.
- 9.From Sri B.Venkata Subbaiah, CTO (Retd.), dt.04-04-2014 received from CCT, AP, Hyd, vide Ref.No.VI/311/11, dt. 16.04.2014
- 10.Government Lr.No. 33803/Vig.I(1)/2011-6, dt.19.07.2014.
- 11.From the Secretary, APPSC, Lr.No.897/RT/1 /2014, dated 11-08-2014.

ORDER :

Whereas in the reference 1st read above, the Commissioner, Commercial Taxes, of the erstwhile united State of Andhra Pradesh has framed the following article of charges against Sri B.Venkata Subbaiah, Commercial Tax Officer (Charged Officer) (Retd,) for the irregularities committed by him while working as Commercial Tax Officer-I, Kadapa Circle :

Charge.I:-That Sri B.Venkata Subbaiah, while working as Commercial Tax Officer-I, Kadapa circle, from 2005 to 2007 has involved in issuing registrations without conducting Pre-Registration visits to twelve (12) bogus dealers and exhibited carelessness and dereliction of his official duties unbecoming of a Government Servant leading to loss of revenue to Government exchequer.

Charge.II:-That during the aforesaid period and while functioning in the aforesaid office, Sri B.Venkata Subbaiah, the then Commercial Tax Officer-I, Kadapa circle after issuing Registration Certificate to the twelve (12) bogus dealers had issued 1180 way bills indiscriminately to the twelve bogus dealers, without conducting advisory visit in violation of instructions issued by the Commissioner of Commercial Taxes Ref.No.AIII(1)-5/2005, dated 27-10-2005 and exhibited gross negligence to his duties and failed to follow the instructions and resulted in loss of revenue of Rs.1,10,19,804/-.

2. And whereas, as the Written Statement of Defence submitted by the Charged Officer vide reference 2nd read above is not convincing, the Commissioner, Commercial Taxes, Hyderabad has ordered for a regular Inquiry by appointing the Deputy Commissioner, (Commercial Tax) Begumpet of the erstwhile State as Inquiry Authority vide reference 3rd read above to enquiry into the matter. In the meantime the Charged Officer while working as Commercial Taxes Officer, Nalgonda District, Telangana State has retired from service on 30-06-2011. The Inquiry Authority after conducting inquiry has submitted the Inquiry Report vide reference 4th read above against Sri B.Venkata Subbaiah, former Commercial Taxes Officer-I, Kadapa (now Retd.) holding that charge No.I as not proved and Charge No.II as proved, and the Inquiry Report has been communicated to the Charged Officer vide reference 5th read above.

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3. Whereas, in the reference 7th read above, the Commissioner of Commercial Taxes has forwarded the Inquiry Report and the representation submitted by the Charged officer (vide reference 6th read above) to the Government in the erstwhile state of Andhra Pradesh for taking further action against Sri B.Venkata Subbaiah, former Commercial Taxes Officer-I, Kadapa (now Retd.) under rule 9 of AP Revised Pension Rules, 1980.

4. And whereas, the Government after examining the Enquiry Report and the representation of Sri B.Venkata Subbaiah, Commercial Taxes Officer (now Retd.) observed that the charged officer while working as Commercial Tax Officer-I, Kadapa circle has failed to exercise his best judgment in the performance of his official duties. Further, the Charged Officer being the controlling authority, had he ensured that the post-registration visits are done immediately at least in the case of new registrations, some corrective steps might have been taken much earlier and would have prevented avoidable losses to the Government exchequer and as such he is at fault.

5. And whereas, the Government after careful examination of the matter and the material available on record have provisionally decided to impose a punishment of 10% cut in the pension for a period of two (2) years on Sri B.Venkata Subbaiah, Commercial Taxes Officer (now retd.) under rule 9 of A.P. Revised Pension Rules, 1980. Accordingly the decision of the Government of the erstwhile State has been communicated to the Charged Officer vide reference 8th read above with a direction to submit his representation on the provisional decision. The Charged Officer has submitted representation vide reference 9th read above re-iterating the contents earlier stated and requested to drop further action against him.

6. And whereas, the erstwhile State of Government of Andhra Pradesh have examined the matter in detail and decided to confirm the provisional decision to impose the above penalty against, Sri B.Venkata Subbaiah, Commercial Tax Officer (Charged Officer) (now retd.) under rule 9 of Andhra Pradesh Revised Pension Rules, 1980 as he has not put forth any new grounds for consideration. The Andhra Pradesh Public Service Commission has also agreed the above proposed punishment in the reference 11th read above (copy enclosed). In the meantime, the erstwhile State of Andhra Pradesh has been bifurcated into the States of Telangana and Andhra Pradesh.

7. As the charge framed against Sri B.Venkata Subbaiah, former Commercial Taxes Officer pertains to the irregularity committed by him while working at Kadapa District, is proved, the Government of Andhra Pradesh in exercise of the powers conferred under Rule 9 (1) of Andhra Pradesh Revised Pension Rules, 1980, hereby impose the punishment of 10% cut in pension for a period of two (2) year on Sri B.Venkata Subbaiah, former Commercial Taxes Officer-I, Kadapa (Charged Officer), (now Retd.).

8. The Commissioner of Commercial Taxes and the pension sanctioning authority concerned shall take necessary further action in the matter, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

J.C.SHARMA

PRINCIPAL SECRETARY TO GOVERNMENT (CT&EX) (FAC)

To

Sri B.Venkata Subbaiah, the charged officer (now retd.) (w.e)

through Commissioner of Commercial Taxes concerned.

The Commissioner of Commercial Taxes, Telangana, Hyderabad.

(with a request to serve the same on the individual and furnish the dated acknowledgment copy to Govt. for record)

The Commissioner of Commercial Taxes, Andhra Pradesh, Hyderabad.

The Secretary, Andhra Pradesh. Public Service Commission, Hyderabad.

The Accountant General, Telangana / Andhra Pradesh, Hyderabad.

The Revenue (Commercial Tax.I) Department, A.P., Hyderabad.

SF/SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER